



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Alessio Casati
Sudeep Kumar Palat
Hatef Yamini
Jin Yang
Case 2-3-3-3
Name/No.:
Serial No.: 10/030387 Group Art Unit: 2616
Filing Date: June 4, 2002 Examiner: A. T. Chou
Title: Telecommunications System

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

PETITION TO WITHDRAW EXTENSION OF TIME FEE UNDER 37 CFR 1.136(a)

SIR:

On or about January 8, 2007, Examiner Chou advised Applicants' Attorney that a response was two months overdue for an Office Action mailed on October 27, 2006 for the above-identified application. However, as set forth below, the Office Action was never received by Applicants. Consequently, Applicants were unaware that a response to the Office Action was due.

A search of the file jacket and docket records clearly indicate that the Office Action was never received by Applicants. Subsequently, a request for a copy of this Office Action was made, and it was faxed to Applicants on January 18, 2007 (however, the copy of the Office Action was incomplete).

Attached as Exhibit A is a copy of the docket record for the above-identified application which is maintained in accordance with standard company policies and procedures. The "Docket History" section is customarily used to record all incoming and outgoing actions. As clearly shown, the last entry recorded is the return-receipt postcard received back on 10/23/2006 for the amendment that was mailed on 10/13/2006. Customary practice would have required an entry for receipt of the Office Action. Because such entry is not included in the attached docket record, Applicants hereby submit that such Office Action was never received.

PT 970 (1/03)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Director of the US Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on January 29, 2007. *Margaret Cardoso*
Margaret Cardoso

It should be noted that the "Current In/Out List" section in the attached Exhibit A is an automatic feature of Lucent's docket tool in which the expected due in and due out items are listed. For example, the "examiner response" listed as being due "IN" on 10/13/2007 is the automatically-entered expected date for a response from the Office to the filed patent application. Consequently, this section of the docket record is not used for recording the actual receipt or transmittal of papers for the application. Rather, as previously indicated, only the "Docket History" section is used for this latter purpose.

Because the Office Action was never received, Applicants hereby respectfully request the two-month extension of time fee be withdrawn.

However, in the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 12-2325** as required to correct the error.

Respectfully,



Martin I. Finston
Attorney for Applicant(s)
Reg. No.: 31,613

Att:
Exhibit A

Date: January 29, 2007

Docket Administrator (Room 2F-192)
Alcatel-Lucent
600 Mountain Avenue
Murray Hill, NJ 07974-0636